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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/621,558	07/17/2003	Ruby Salton	27453	1332

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Martin D. MOYNIHAN
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EXAMINER

CLOUD, JOIYA M

ART UNIT	PAPER NUMBER
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2144

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/22/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/621,558

Applicant(s)

SALTON, RUBY

Examiner

Joiya M. Cloud

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/25/2004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the application filed on July 17, 2003. Claims 1-51 are pending. Claims 1-51 represent Event based communication system.

2. Acknowledgment is made to the applicant's submission of Information Disclosure Statement, filed 02/25/2004.

Claim Objections

3. Claim 27 is objected to because of the following informalities: Claim 27 recites "claims 25 and 26." The dependency of claim 27 on both claims 25 and 26 is improper. Examiner will examine claim 27 as depending from the single claim, claim 25. Appropriate correction is required.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-11, 13-46 and 50-51** are rejected under 35 U.S.C. 102(b) as being anticipated by Hancock.

As per claim 1, Hancock teaches an event-based communication system comprising: a computer-based server, said server running a server application of said communication system; a plurality of electronic devices communicating with said server (**members**); and a database

(**intelligent database**) residing on said server, said database comprising at least pictures of subscribers to said communication system, information regarding events, and cross-correlation between said events and participants in said events from among said subscribers (**Diagram 4 of 9, Procedure**), wherein said electronic devices communicate with said server application regarding a specific event, for updating and retrieving said database information of said specific event, or for updating and retrieving therefrom information (**subscriber/user personal profile**) regarding one or more participants in said specific event (**Section 4.3, The location field**), said information regarding participants comprising at least pictures or video-clips (**Section 4.2 and Diagram 9, [PHOTO]**) (**Abstract, Page 2, 6**).

As per **claims 2-6**, Hancock teaches the event-based communication system wherein at least one said events is virtual; said electronic devices comprise wireless devices; electronic devices comprise at least one computer running a client application of said communication system; said information regarding subscribers comprises personal identification data and contact data (**PNS profiles**)(**Abstract, Page 2**).

As per **claims 6-8**, Hancock teaches wherein said client application comprises sending commands to said server; wherein said commands prompt said server to manipulate said database; and wherein said client application comprises sending queries to said server and receiving replies from said server (**Page 2, where the command is changeable location field in the database, Section 4.1 Infrastructure**).

As per **claim 9**, Hancock teaches wherein said electronic devices comprise at least one Contact Center, communicating with said server, said Contact Center comprising at least input

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means for entering identification data into said server (**contact center is functionally equivalent to the computer stations set up peripherally with the venue, Page 2 and Page 3, where members can input Location information as part of identification data**).

As per claim 10, Hancock teaches wherein said input means comprise one of a barcode reader and a magnetic-card reader (**Page 2, Section 4.1 and Abstract**).

As per claim 11, Hancock teaches wherein said Contact Center additionally comprises a computer-based system running a Contact Center application (**Page 2**).

As per claims 13-14, Hancock teaches wherein said input means additionally comprise input means for entering queries into said Contact Center application, and wherein said Contact Center application comprises means for sending said queries to said server and receiving responses to said queries from said server and wherein said responses comprise at least one of textual responses, pictures and video-clips (**Page 6, Summary and Abstract**).

As per claim 15, Hancock teaches a method of enabling communication with a person attending an specific event, the method comprising the steps of: providing an event-based communication system comprising a computer-based server, said server running a server software application of said communication system, said server additionally comprising a database residing on said server, said database comprising at least information regarding subscribers to said communication system, information regarding events, and cross-correlation between said events and participants in said events from among said subscribers, said server communicating with at least one electronic device, wherein said communication with said at least one electronic device comprises communication regarding said specific event, for updating

said database information of said specific event, or for retrieving therefrom information regarding one or more participants in said specific event, said information regarding participants comprising at least pictures or video-clips; and receiving present location information of at least one said subscribers (**Diagram 9, [PHOTO]**) (**Abstract, Page 2,3 and 6**).

As per claim 16, Hancock teaches wherein said receiving present location information comprises receiving automatic location information from a GPS, wireless or Bluetooth device (**Page 2, Sections 3.2 and 4.1**).

As per claim 17, Hancock teaches, wherein said receiving present location information comprises receiving an MMS message or an SMS message indicating said location (**Abstract, Page 5 Line 13**).

As per claim 18, claim 18 lists all of the same elements as claim 2, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 2 applies equally as well to claim 18.

As per claim 19, claim 19 lists all of the same elements as claim 3, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 3 applies equally as well to claim 19.

As per claim 20, claim 20 lists all of the same elements as claim 4, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 4 applies equally as well to claim 20.

As per claim 21, claim 21 lists all of the same elements as claim 5, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 5 applies equally as well to claim 21.

As per claim 22, claim 22 lists all of the same elements as claim 6, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 6 applies equally as well to claim 22.

As per claim 23-26, Hancock teaches wherein said communication with said at least one electronic device comprises receiving queries from said electronic device and sending replies to said electronic device (**Page 2, where the command is changeable location field in the database, Section 4.1 Infrastructure**); said replies comprise at least one of text, picture and video-clip; said communication with said at least one electronic device additionally comprises receiving a further communication from said electronic device, following said step of sending a reply; said received further communication to said person attending said specific event (**Abstract, page 2,3, and 6**).

As per claim 27, Hancock teaches method of either of claims 25 and 26, wherein said further communication comprises a MMS message (**Abstract, Page 5 Line 13**).

As per claim 28, claim 28 lists all of the same elements as claim 9, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 9 applies equally as well to claim 28.

As per claim 29, claim 29 lists all of the same elements as claim 11, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 9 applies equally as well to claim 11.

As per claim 30, claim 30 lists all of the same elements as claim 10, but in method rather than system form. Therefore, the supporting rationale of the rejection to claim 10 applies equally as well to claim 30.

As per claim 31, Hancock teaches receiving present location information comprises using said input means for reading said present location information (**Page 3**).

As per claims 32-34, claims 32-34 lists all of the same elements as claims 12-14, but in method rather than system form. Therefore, the supporting rationale of the rejection to claims 12-14 applies equally as well to claims 32-34.

As per claim 35, X teaches method of contacting a person attending an event, the method comprising the steps of: providing an event-based communication system comprising a computer-based server, said server running a server software application of said communication system, said server additionally comprising a database residing on said server, said database comprising at least information regarding subscribers to said communication system, said information about subscribers comprising at least pictures or video-clips, information regarding events, and cross-correlation between said events and participants in said events from among said subscribers; providing a Contact Center in the location of said event and at the time of said event, said Contact Center comprising at least a computer with Internet access, a Contact Center software application and input means for entering identification data into said Contact Center

software application; and using said input means of said Contact Center application for communicating with said server (**Diagram 9, [PHOTO]**) (**Abstract, Page 2,3 and 6; contact center is functionally equivalent to the computer stations set up peripherally with the venue, Page 2 and Page 3, where members can input Location information as part of identification data).**

As per claims 36 and 37, claims 36 and 37 lists all the same elements of claims 10 and 12, but in method rather than system form. Therefore, the supporting rationale of the rejection to claims 10 and 12 applies equally as well to claims 36 and 37.

As per claims 38 and 39, claims 38 and 39 lists all the same elements of claim 13 but in method rather than system form. Therefore, the supporting rationale of the rejection to claims 13 applies equally as well to claims 38 and 39.

As per claim 40, Hancock teaches additionally comprising the step of sending a command to said Contact Center application, following said receiving a response (**Abstract, Page 2, 3, and 6).**

As per claims 41-43, Hancock teaches the step of contacting said person attending said event, following said receiving a response; wherein said query comprises requesting a list of said subscribers attending said event and wherein said response comprises said list of said subscribers attending said event; and wherein said query comprises requesting the pictures of said subscribers attending said event and wherein said response comprises said pictures of said subscribers attending said event (**Abstract, Page 2, 3, and 6).**

As per claim 44, Hancock teaches Contact Center for communicating between people attending an event and a location-based contact server, said server comprising a database, said Contact Center comprising: a computer-based system with Internet access; and a Contact Center software application running on said computer, said software application enabling said people attending said event to send queries to said server and receive responses from said server, said queries and responses relating to other people attending said event (**Abstract, Page 2, 3, and 6**).

As per claims 45-46, Hancock teaches wherein said software application additionally enables said people attending said event to send commands to said server and wherein said commands prompt said server to manipulate said database (**Abstract, Page 2, 3 and 6**).

As per claim 50, Hancock teaches method of identifying a person previously located in at least one of a series of locations, the method comprising the steps of: providing an event-based communication system comprising a computer-based server, said server running a server software application of said communication system, said server additionally comprising a database residing on said server, said database comprising at least information regarding subscribers to said communication system, said information about subscribers comprising at least information regarding events, and cross-correlation between said events and participants in said events from among said subscribers; providing at least one electronic location device in communication with said server; using said at least one electronic location device to transmit a starting present location to said server; and further using said at least one location device to transmit a subsequent series of locations to said server(**Abstract, Page 2, 3, and 6**).

As per claim 51, Hancock teaches additionally comprising the steps of: sending a query to said server regarding people present in at least one of said series of locations at the time said location was transmitted (**Page 3, Location Field**)

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 12 and 47-49** are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock in view of Pena (**U.S. Patent No. 6,704,039**).

As per claim 12, Hancock discloses the invention substantially as claimed. However, Hancock does not explicitly teach wherein said Contact Center additionally comprises at least one of a digital camera, and a printer.

Pena teaches wherein said Contact Center additionally comprises at least one of a digital camera, and a printer (**col. 6, lines 38-67 and col. 7, lines 30-40**).

Accordingly, it would have been obvious to one of ordinary skill in the networking art at the time the invention was made to have incorporate Hancock's teachings to the teachings of Pena, for the purpose of allowing "visual communication [for subscribers]," (**col. 6, lines 38-67**).

As per claims 47-49, Hancock-Pena teach additionally comprising a digital camera controlled by said computer; wherein said software application additionally enables said people attending said event to use said digital camera for taking their own picture and wherein said pictures are transferred by said Contact Center to said database; and additionally comprising a printer controlled by said computer (**Pena: col. 6, lines 38-67 and col. 7, lines 30-40**).

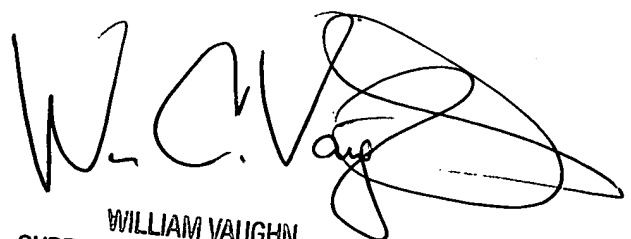
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joiya Cloud whose telephone number is 571-270-1146. The examiner can normally be reached Monday to Friday from on 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-3922. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JMC

William J. Vaughn


WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

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Supervisory Patent Examiner

February 15, 2007